

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff(s),

v.

ROBERT H. SMITH,

Defendant(s).

NO. CR07-0084MJP

ORDER ON MOTION TO RELEASE
GRAND JURY TRANSCRIPTS

The above-entitled Court, having received and reviewed:

1. Motion for Issuance of an Order Requiring Production of Grand Jury Records and Grand Jury Transcripts (Dkt. No. 65)
2. Government Response for Order Directing Production of Grand Jury Records and Grand Jury Transcripts (Dkt. No. 68)

and all exhibits and declarations attached thereto, makes the following ruling:

IT IS ORDERED that the motion is PARTIALLY GRANTED and PARTIALLY DENIED.

The request to provide Defendant's counsel with the grand jury transcripts and exhibits which Defendant has requested is GRANTED; the Court understands that this material has already been provided as requested.

IT IS FURTHER ORDERED that Defendant's request for the ministerial record of the grand jury is DENIED without prejudice. Defendant has failed to demonstrate a particularized need for this material, or a nexus between the issues in his case and the ministerial records he seeks.

1 The clerk is directed to provide copies of this order to all counsel of record.

2 Dated: September __14__, 2007

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4 Marsha J. Pechman
5 U.S. District Judge